

SELECTMEN'S MEETINGMINUTES
November 10, 2009

Members Present: Paul Feeney, Chairman
Lynda Walsh, Vice Chairman
Paul Mortenson, Clerk
Lorraine Brue
Larry Harrington

Others Present: Andy Gala, Town Manager
James & Christine Kelly, Won More Time LLC
Randy Scollins, Finance Director

The meeting was brought to order at 7:00 p.m. by Paul Feeney, Chairman.

7:00 – Citizen's Input – No one present for Citizen's Input.

7:05 – Public Hearing – Paul Mortenson read the Public Hearing Notice. The purpose of this Public Hearing was to discuss an application for Transfer of Annual All Alcohol Restaurant License from the Commonwealth of Massachusetts Dept. of Revenue to Won More Time, LLC d/b/a Chickie Flynn's, 94 Washington Street, Foxborough.

. James and Christine Kelly were present to answer any questions pertaining to the application. Chairman Feeney asked them to brief the Board on their background in the restaurant business and reasons why they want to start a business in Foxborough in these difficult economic times. Mr. Kelly said they have many years of experience between himself and his wife. "Chickie Flynn's" will be a family style restaurant focusing on home-style food at reasonable prices. All employees will be TIPS certified and will also receive CPR training.

A brief general discussion was held with questions from the Board relative to when the restaurant would open, the hours of service, method of checking ID's, violations of liquor license in the past and business relationship with "Piccolo Venezia" in Boston.

Motion by Paul Mortenson to close the Public Hearing. Seconded by Lynda Walsh. **Vote: 5-0-0**

Motion by Paul Mortenson to approve the Application for Transfer of Annual All Alcohol Restaurant License from the Commonwealth of Massachusetts Dept. of Revenue to Won More Time, LLC d/b/a "Chickie Flynn's" as submitted. Seconded by Lynda Walsh. **Vote: 5-0-0**

Motion by Lynda Walsh to approve the Application for 7 Day Entertainment License for Won More Time LLC d/b/a "Chickie Flynn's" as submitted. Seconded by Paul Mortenson. **Vote: 5-0-0**

ACTION:

Minutes – The Minutes from the Board of Selectmen's Meeting of October 27, 2009 were reviewed.

Motion by Lynda Walsh to approve the Minutes for the Meeting of October 27, 2009 as amended. Seconded by Paul Mortenson. **Vote: 5-0-0**

Historical Commission Appointment – Received from Robert E. Hicks, Chairman, Foxborough Historical Commission a request to appoint Mark Ferencik, 29 Baker Street, as associate member to the Foxborough Historical Commission for a term expiring May 1, 2012.

Motion by Lynda Walsh to appoint Mark Ferencik, 29 Baker Street as an associate member to the Foxborough Historical Commission for a term expiring May 1, 2012. Seconded by Paul Mortenson. **Vote: 5-0-0**

Board of Recreation Appointment – Received from Debbie Giardino, Recreation Director, a request to appoint Anita Kloss as a regular member of the Board of Recreation for a term expiring May 1, 2010

Motion by Lynda Walsh to appoint Anita Kloss, 15 N. Grove Street as a regular member of the Board of Recreation for a term expiring May 1, 2010. Seconded by Paul Mortenson. **Vote: 5-0-0**

New Hackie License – Received from Wayne Demers, 5 Main Street, an application for a new Hackie's License to drive for Foxboro Taxi.

Motion by Paul Mortenson to approve the application from Wayne Demers, 5 Main Street, for a new Hackie's License to drive for Foxboro Taxi. Seconded by Lynda Walsh. **Vote: 5-0-0**

Constable Appointment – Received from Nathaniel C. Greene, 29 Frederick Rd., Braintree, MA., a request to be appointed Constable for the Town of Foxborough. A brief discussion was held.

Motion by Paul Mortenson to appoint Nathaniel C. Greene, 29 Frederick Rd., Braintree, Ma., as Constable for the Town of Foxborough for a term expiring November 10, 2012. Seconded by Lynda Walsh. **Vote: 5-0-0**

Animal Control Gift Account – Received from Sue Thibedeau a request to accept a donation of \$120.00 to the Animal Control Gift Account given by Ralphina Brown.

Motion by Larry Harrington to accept with gratitude the gift of \$120.00 to be deposited in the Animal Control Gift Account given by Ralphina Brown of Wrentham. Seconded by Lynda Walsh. **Vote: 5-0-0**

Foxborough Historical Commission – Received from Robert Hicks, Foxborough Historical Commission, notice of receipt of a donation from Glenn and Sheila Mott to the Historical Commission in the amount of \$500.00 for the illumination project for the Civil War soldier atop Memorial Hall. The letter from Mr. & Mrs. Mott was read by Paul Mortenson. A brief discussion was held.

Motion by Larry Harrington to accept with gratitude the gift of \$500.00 from Glenn and Sheila Mott as requested. Seconded by Lynda Walsh. **Vote: 5-0-0**

Waiver of Permit Fees – Received from William Casbarra, Building Commissioner, a request to waive the permit fees for the Foxborough High School renovation project. Andy Gala gave a brief outline of the permit fees to be waived for the High School renovation project.

Motion by Larry Harrington to waive the permit fees as outlined in the letter from William Casbarra, Building Commissioner, dated November 5, 2009, for the Foxborough High School renovation project. Seconded by Paul Mortenson. **Vote: 5-0-0**

DPW Services Contracts – Received from SERSG a list of award contracts to bidders as listed in “DPW Services for a twelve month period commencing of January 1, 2010”. Andy Gala explained that all were the low bidders. A brief discussion was held.

Motion by Lynda Walsh to award the contracts as listed in the “DPW Services for a twelve month period commencing on January 1, 2010” as presented by Andy Gala. Total Value of all contracts \$644,263.16. Seconded by Paul Mortenson. **Vote: 5-0-0**

Meeting of Foxborough Alcohol & Drug Prevention Coalition – Received an invitation to attend the Foxborough Alcohol and Drug Prevention Coalition meeting on November 19, 2009 at the Foxborough Area YMCA, from 6:00 to 8:00 p.m. A brief discussion was held; a member of the Board will attend.

Warrant for Special State Primary – Andy Gala reviewed the Warrant for the Special State Primary, Tuesday, December 8, 2009 at the Ahern Middle School. A brief discussion was held.

Motion by Lynda Walsh to approve the Warrant for the Special State Primary election. Seonded by Paul Mortenson. **Vote: 5-0-0**

Public Hearing Notice – Planning Board – Received from Marc Resnick notice of a Public Hearing to be held at 7:30 p.m., November 19, 2009 for a Special Permit for “The Village at Chestnut Green”. Any comments will be submitted at the appropriate time.

Jack Authelet came before the Board to answer any questions concerning the appointment of Mark Ferencik as associate member of the Historical Commission. He said Mark has many talents that will address the special needs of the Commission and in fact, he actively “sought” Mark out. Jack also thanked the Town for the support of the Veteran’s Day program being held on November 11, 2009.

7:30 – Special Town Meeting Warrant – A lengthy discussion was held on Article 1 – Budget Adjustments. Randy Scollins explained that the adjustments are primarily due to further cuts in State Aid to municipalities including cuts in Quinn Bill reimbursement and State owned land. The items impacted by the budget adjustments are non-general fund cuts. Randy said he had included \$52,000 revenue from the Hotel Excise tax in this year’s budget. The total additional recurring revenue is estimated at \$402,000. These funds can be used to address the budget shortfall, leaving a balance deficit of \$537,000. Andy Gala and Randy met with Dr. Martes and the School Committee. Andy said there is a commitment from the School Department to assume a 70% share of that \$375,693. The adjustment for Administration amounts to \$161,000. Other reductions discussed included dam repairs, Library Capital Outlay and Veteran’s expense. Further discussion was held on whether there is a “back up” plan just in case the State makes further reductions. Randy Scollins pointed out that any further cuts may not come until next year. Further Federal Stimulus money is questionable. He said if there are going to be further cuts, it is going to be very difficult to address with five months remaining in this Fiscal Year. Larry Harrington suggested trying to engage the presidents of all the unions in a discussion to try to determine if there would be a willingness to defer salary increases in order to prevent possible layoffs. Andy Gala pointed out that any decision made in that direction would have to be across the board.

Article 2 – Borrow Funds for Septic Systems Upgrade – Randy Scollins pointed out this Article is similar to a program that was offered a few years ago. It enables the Town to borrow money from the State at a very low interest rate to help residents whose septic system has failed or needs to be upgraded. The home owner would be able to borrow from the Town at low interest over a twenty year period.

Article 3 – Interest Rates for overdue payments - Andy Gala explained that this Article was drafted by Town Counsel. It would allow the Town to establish a

thirty day due date and charge interest on bills remaining unpaid after the due date.

Article 5 – Meal Tax – A brief discussion was held on whether this should be on the Warrant for the Special Town Meeting or should it be put on the Warrant for the 2010 ATM. It was pointed out that the Advisory Committee had voted against this tax when it was on the Warrant this past May. Lorraine Brue said based on the 5-year projections, there is no doubt that expenses are going up faster than revenue and it makes sense to get something like this in place to address these projections. Paul Feeney expressed concern about the big ticket items coming up in the spring. He suggested not making a decision on this until the next meeting as he wanted to make sure the Board would be prepared to discuss this. Andy Gala pointed out that he needs the Board to approve the Warrant in order to get it to the press in time.

Motion by Larry Harrington to strike Article 5 from the STM Warrant with the specification that it be put on the Warrant for the ATM in May, 2010. Seconded by Lynda Walsh.

Further discussion was held regarding the possibility of this passing at this time, whether it would have a better chance in May, this tax is good for the Town as it represents additional revenue in these tough economic times and how the money is going to be spent.

Vote: 2-3-0 Paul Feeney, Lorraine Brue and Paul Mortenson voting in the negative.

Articles 6 through 10 – Zoning By-Law Amendments – A brief discussion ensued on these four articles.

Articles 11 – 16 – Street Acceptances.

Motion by Larry Harrington to approve the STM Warrant as submitted by Andy Gala, Town Manager. Seconded by Lynda Walsh. **Vote: 5-0-0**

7:45 – Discussion of Goals and Objectives – Larry Harrington said he had met with Andy and Randy on several occasions regarding goals and objectives. He would like to get feedback from the Board. He suggested waiting until the end of this year to think about interim base evaluations and get feedback on performance as related to goals and objectives. Larry feels that discussions regarding performance should be public so that people would know that the administration is doing a good job and would be willing to make improvements where necessary. It was suggested that some kind of form be used in order to establish a bench mark to look at the next year. Andy Gala pointed out that there all ready is a form in the file. Andy and Randy each gave a brief overview of their goals and objectives. The highlights included annual budget preparation, negotiations on health insurance costs, unfunded liability associated with retired

employees, expansion of the IS department to bring taxpayer property information online, etc.

Motion by Larry Harrington to accept the goals and objectives as submitted by Andy Gala, Town Manager and Randy Scollins, Finance Director. Seconded by Lynda Walsh. **Vote: 5-0-0**

NEW/OLD BUSINESS

Larry Harrington said he had met with Water & Sewer and would like to have them on the agenda for early January to discuss what would be on the Warrant for the ATM. Lynda Walsh said the Water Dept. is looking at alternatives for expansion of the sewer district that they would hope to put before the Town. Water & Sewer have heard clearly the complaints and do not intend to bring anything forward for funding.

Andy Gala said Chief O’Leary had met with representatives from the Stadium on operational issues. Andy expects these meetings will continue and feels things are moving in the right direction.

8:00 – Executive Session

Motion by Lynda Walsh to go into Executive Session to discuss Collective Bargaining Strategy and to exit from Executive Session for the sole purpose of adjournment. Seconded by Paul Mortenson.

| | | |
|--------------------|----------------------------|-----|
| Vote: 5-0-0 | Paul Feeney, Chairman | Yes |
| | Lynda Walsh, Vice Chairman | Yes |
| | Paul Mortenson, Clerk | Yes |
| | Lorraine Brue | Yes |
| | Larry Harrington | Yes |

Motion by to adjourn by Paul Mortenson. Seconded by Lynda Walsh.
Vote: 5-0-0 Meeting adjourned at 10:00 P.M.

Paul Mortenson, Clerk

